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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,380	06/27/2003	Toshiyuki Miyamoto	50212-512	5140
20277 MCDERMOT	7590 12/10/2007 Γ WILL & EMERY LLP	EXAMINER		
600 13TH STR	EET, N.W.		HUGHES, DEANDRA M	
WASHINGTON, DC 20005-3096			ART UNIT	PAPER NUMBER
			3663	
			MAIL DATE	DELIVERY MODE
			12/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Su	pplemental	
<b>Notice</b>	of Allowabil	ity

Application No.	Applicant(s)		
10/607,380	MIYAMOTO ET AL.		
Examiner	Art Unit		
Deandra M. Hughes	3663		

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	Deandra M. Hughes	3663	
The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI	(OR REMAINS) CLOSED in this app or other appropriate communication GHTS. This application is subject to	olication. If not include will be mailed in due	ed course. THIS
1.   This communication is responsive to the phone call received	ed 12/3/07.		
2. The allowed claim(s) is/are <u>20-32</u> .			
3.   Acknowledgment is made of a claim for foreign priority ur  a)   All b)   Some* c)   None of the:			
1. Certified copies of the priority documents have			
2. Certified copies of the priority documents have	• • • • • • • • • • • • • • • • • • • •	<del></del>	
3. Copies of the certified copies of the priority do	cuments have been received in this	national stage applica	tion from the
International Bureau (PCT Rule 17.2(a)).			,
* Certified copies not received:			
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		complying with the re	quirements
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give			OTICE OF
5. CORRECTED DRAWINGS (as "replacement sheets") mus	st be submitted.		
(a) ☐ including changes required by the Notice of Draftspers		948) attached	
1) hereto or 2) to Paper No./Mail Date	<del>-</del>	, aa.	
(b) $\square$ including changes required by the attached Examiner's		ffice action of	
Paper No./Mail Date			
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t			е раск) от
6. DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT			Note the
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Attachment(s)			
1. Notice of References Cited (PTO-892)	<ol><li>Notice of Informal P</li></ol>	atent Application	
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. Interview Summary		
3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 12/1/06	Paper No./Mail Dat 7. ⊠ Examiner's Amendr		
4. Examiner's Comment Regarding Requirement for Deposit	8. Examiner's Stateme	nt of Reasons for Allo	owance
of Biological Material	9.  Other	Deandra M. Hughe Primary Examiner	<b>2</b> ~
		AU3663	

U.S. Patent and Trademark Office PTOL-37 (Rev. 08-06) 10/607,380 Art Unit: 3663

## **EXAMINER'S COMMENT**

## Information Disclosure Statement

- 1. Applicant telephoned on 12/03/07 to inform the Examiner that the Examiner's refusal to consider to the IDS filed 12/1/06 because Applicant did not comply with CFR §1.97(e) and §1.117(p) was in error because Applicant submitted a postcard of mailing dated 12/1/06. The Examiner agrees.
- 2. Accordingly, the information disclosure statement (IDS) filed on 12/1/06 has been considered by the examiner and is found to be cumulative to the art of record.

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deandra M. Hughes whose telephone number is 571-272-6982. The examiner can normally be reached on M-F, 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Đếandra M Hủghe Primary Examiner Art Unit 3663